

While furthering human rights in Taiwan, I call for a joint effort among Asian governments and regional NGOs for a regional framework for the advancement of human rights, including a state-sponsored regional charter, a regional commission, and a regional court of human rights. The newly founded Taiwan Foundation for Democracy can serve as one of the channels through which we shall endeavor to make our rightful contributions and share out experience in the protection and promotion of human rights. I want Taiwan to be a positive contributing force in the international human rights movement.

On the Green Island, situated off the south-east coast of Taiwan, there used to be a concentration camp and prison for the confinement and deprivation of countless human rights defenders. On this island, the Taiwanese equivalent to the infamous Robben Island of South Africa, there stands a monument on which names of victims of human rights abuse are inscribed. The epitaph reads: "In those times, how mothers wept through long nights for their imprisoned children."

I have kept that epitaph in my heart, and tonight, I would like to share it with you as a tribute to all who support, advocate, and have stood up in the name of human rights: Let there be no more fear, let there be no more tears. Let the world take Taiwan as an example. She is emerging from her democratic metamorphosis.

While I am standing on this stage, receiving this Human Rights Award and giving this speech, out there is a group of people protesting and shouting. I must tell them clearly: You are in a wrong place and protesting to the wrong person; for you should be happy for me to receive this Award. Human rights are universal. The path towards human rights is the right path and a road of no return. The democratic achievements of Taiwan and the deepening of human rights there can serve as a beacon for others. What you should ask yourselves is: Why can Taiwan do it and we cannot? Along with the 23 million people in Taiwan, I would like to invite the people protesting out there to share my joy and pride in receiving the Human Rights Award. Do believe in democracy, in freedom and in human rights. We will make it.

Thank you.

#### AMENDMENT TO SUPPORT CURRENT U.S. PATENT AND TRADEMARK OFFICE POLICY AGAINST PATENTING HUMAN ORGANISMS

**HON. DAVE WELDON**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 21, 2003*

Mr. WELDON of Florida. Mr. Speaker, this summer I introduced an amendment that provides congressional support for the current U.S. Patent and Trademark Office policy against patenting human organisms, including human embryos and fetuses. This amendment was approved by the House of Representatives with bipartisan support on July 22, 2003, as Sec. 801 of the Commerce/Justice/State appropriations bill.

On November 5th of this year, I submitted to the CONGRESSIONAL RECORD an analysis of my amendment that offers a more complete elaboration of what I stated on July 22nd, namely, that this amendment "has no bearing on stem cell research or patenting genes, it only affects patenting human organisms,

human embryos, human fetuses or human beings."

However, some have continued to misrepresent my amendment by claiming it would also prohibit patent claims directed to methods to produce human organisms. Moreover, some incorrectly claim that my amendment would prohibit patents on claims directed to subject matter other than human organisms. This is simply untrue.

What I want to point out is that the U.S. Patent Office has already issued patents on genes, stem cells, animals with human genes, and a host of non-biologic products used by humans, but it has not issued patents on claims directed to human organisms, including human embryos and fetuses. My amendment would not affect the former, but would simply affirm the latter. This position is reaffirmed in the following U.S. Patent Office letter of November 20, 2003.

I submit to the RECORD a letter from James Rogan, Undersecretary and Director of the U.S. Patent office, that supports the enactment of my amendment because it "is fully consistent with our policy."

U.S. PATENT AND TRADEMARK OFFICE,  
*November 20, 2003.*

Hon. TED STEVENS,  
*Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for the opportunity to present the Administration's position on the Weldon amendment adopted by the House during consideration of H.R. 2799, the Commerce-Justice-State Appropriations bill FY 2004, and the effect it would have on the United States Patent and Trademark Office (USPTO) policy on patenting living subject matter. For the reasons outlined below, we view the Weldon amendment as fully consistent with USPTO's policy on the non-patentability of human life-forms.

The Weldon Amendment would prohibit the U.S. Patent and Trademark Office from issuing any patent "on claims directed to or encompassing a human organism." The USPTO understands the Weldon Amendment to provide unequivocal congressional backing for the long-standing USPTO policy of refusing to grant any patent containing a claim that encompasses any member of the species *Homo sapiens* at any stage of development. It has long been USPTO practice to reject any claim in a patent application that encompasses a human life-form at any stage of development, including a human embryo or human fetus; hence claims directed to living "organisms" are to be rejected unless they include the adjective "nonhuman."

The USPTO's policy of rejecting patent application claims that encompass human lifeforms, which the Weldon Amendment elevates to an unequivocal congressional prohibition, applies regardless of the manner and mechanism used to bring a human organism into existence (e.g., somatic cell nuclear transfer, in vitro fertilization, parthenogenesis). If a patent examiner determines that a claim is directed to a human life-form at any stage of development, the claim is rejected as non-statutory subject matter and will not be issued in a patent as such.

As indicated in Representative Weldon's remarks in the Congressional Record of November 5, 2003, the referenced language precludes the patenting of human organisms, including human embryos. He further indicated that the amendment has "exactly the same scope as the current USPTO policy," which assures that any claim that can be broadly construed as a human being, including a human embryo or fetus, is not patentable subject matter. Therefore, our under-

standing of the plain language of the Weldon Amendment is fully consistent with the detailed statements that the author of the amendment, Representative Weldon, has made in the Congressional Record regarding the meaning and intent of his amendment.

Given that the scope of Representative Weldon's amendment does not alter the USPTO policy on the non-patentability of human life-forms at any stage of development and is fully consistent with our policy, we support its enactment.

With best personal regards, I remain

Sincerely,

JAMES E. ROGAN,  
*Under Secretary and Director.*

#### THE STUDENT AID STREAMLINED DISCLOSURE ACT OF 2003

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 21, 2003*

Mr. SAM JOHNSON of Texas. Mr. Speaker, today I am introducing the Student Aid Streamlined Disclosure Act, to enhance the privacy of individuals who apply for a federal student loan or Pell Grant and to ensure the integrity of student aid programs administered by the Secretary of Education.

This year, the Department of Education anticipates that more than 13 million people will apply for federal student aid. In order to verify income information, approximately 4 million of these applicants will be selected and required to hand over detailed tax information to school administrators with few controls in place to guard against redisclosure or misuse of this highly personal information. In addition, nearly 100,000 people will be required to waive their right to taxpayer privacy as a condition of applying for an income-contingent student loan.

The current process used by the Department of Education to verify the income information supplied by students is not only unnecessarily invasive of student privacy, but it also is ineffective. Numerous studies by the Department of Education and the Education Inspector General have concluded that income information supplied by students does not match information on file with the Internal Revenue Service. In fact, a recent study of applications filed during fiscal years 2001 and 2002 found that the Department of Education had paid \$602 million in Pell Grants to individuals who were either ineligible or eligible for smaller awards.

The General Accounting Office has confirmed that this substantial misallocation of resources could be corrected if Congress would redesign the law that governs sharing of information between the Department of Education and the Internal Revenue Service. I am pleased to say that the bill I am introducing today would accomplish that task in a way that enhances taxpayer privacy.

This legislation would provide for income verification for every student loan application, but it would require disclosure of information on file with the IRS only in cases where there is a discrepancy that is large enough to impact the student grant or loan. Sensitive tax information from the IRS could not be disclosed directly to schools or contractors, but could only be disclosed to Department of Education officials or to the taxpayer who filed the return.

This tax legislation is a priority of the Bush Administration and the Education and Workforce Committee has endorsed data sharing

as a means of reducing waste, fraud, and abuse in programs administered by the Secretary of Education. Congress has already authorized the Secretary of Education to match data with the IRS in the Higher Education Act of 1998, but, to date, the Internal Revenue Code has not been amended to allow this matching to take place. My staff has worked closely with the Treasury Department, the Office of Management and Budget, the Joint Committee on Taxation, and the Department of Education in developing this proposal.

This proposal is the right policy and, with all of our consultations, we believe that it is the correct technical solution. I am introducing it as we hopefully close out the first session of the 108th Congress in order that it can be reviewed over the next few months by all participants in the student loan community. I ask any stakeholders—students, parents, schools, lenders and loan processors—to review this legislation to be sure that there are no unintended consequences of the bill. I welcome constructive criticism of this bill and look forward to seeing it enacted next year.

#### H.R. 6—ENERGY POLICY ACT OF 2003

SPEECH OF

**HON. CHARLES W. STENHOLM**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 18, 2003*

Mr. STENHOLM. Mr. Speaker, today, I rise in support of H.R. 6, the energy bill that America has waited so long for. Like the original House version of this legislation, I intend to support the conference report on the floor today, but not without some reservation.

Since being elected to Congress in 1978, I've carefully watched our federal spending and have advocated for a balanced budget. Under our current policies, America is facing a \$400 billion budget shortfall, and we will continue to run deficits for the foreseeable future. This energy bill conference report continues on that path of fiscal irresponsibility. The Joint Committee on Taxation stated this bill will cost up to \$23.5 billion dollars. I am very disappointed this conference report didn't include the offsets that the Senate version did.

However, I truly believe this legislation provides the proper framework to diversify America's fuel sources. As Ranking Member of the House Agriculture Committee, I'm glad there are greater incentives for increased production of ethanol. I'm glad to see production tax credits for wind, solar and biomass energy, as well as nuclear electricity generation. Diversification of our nation's energy sources will help us meet our goal of reducing our dependence on foreign sources of fuel.

More importantly, this energy bill provides the right tools for independent oil and gas producers to continue producing from our own fields, right here in this country. I've been fighting for these measures for years, and I'm glad Congress is finally going to implement them. The time is long overdue for Congress to recognize the importance for America to decrease our use of oil and gas from foreign countries and to capitalize on the resources beneath our own soil. And, contrary to what many groups will lead us to conclude, we can drill for oil and gas without doing damage to

our environment. Former U.S. Senator Lloyd Bentsen of Texas once said that when America imported more than half of its crude and petroleum products, it would have reached a point of peril. Friends and colleagues, we have reached that point.

Although I intend to support this legislation, I must express my extreme disappointment of the process in which this bill was considered. I have worked for years in Congress to promote equality and bipartisanship in this great institution. However, this bill was written behind closed doors with no input from the public. Unfortunately, my Democratic colleagues were not given the opportunity to offer significant amendments to the legislation. This conference report isn't perfect, and it could have been improved significantly if my colleagues were allowed to bring their ideas to the negotiating table and if we were allowed to offset the cost of this legislation.

#### FREEDOM FOR MANUEL VÁZQUEZ PORTAL

**HON. LINCOLN DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 21, 2003*

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise to speak about Manuel Vázquez Portal, a prisoner of conscience in totalitarian Cuba.

Mr. Vázquez is a 52-year-old writer, poet and founder of the independent news agency Grupo de Trabajo Decoro. Originally, Mr. Vázquez was a high school teacher and a journalist for several state-owned media outlets. However, after years of observing the constant lies and incessant distortion mandated by Castro's totalitarian regime, Mr. Vázquez began working for an independent news agency in 1995. As an independent journalist, Mr. Vázquez relentlessly chronicled the atrocities committed by Castro's machinery of repression, even going so far as to have his articles published under the pseudonym Pablo Cedeño. Eventually, Mr. Vázquez founded the independent news agency Grupo de Trabajo Decoro in 1999.

In fact, because of his ability to find and write the truth as a journalist working under Castro's stifling repression, Mr. Vázquez will receive the 2003 International Press Freedom Award from the Committee to Protect Journalists on this coming Tuesday, November 25, 2003.

Mr. Speaker, when Mr. Vázquez's fellow recipients of the International Press Freedom Award accept this high honor, Mr. Vázquez will be languishing in the Cuban totalitarian gulag next to a toilet he describes as a "hole regurgitating its stench 24 hours a day." Mr. Vázquez was arrested in the reprehensible March crackdown on those many patriots who actively opposed Castro's tyranny. Subsequently, in a sham trial held in April, Mr. Vázquez was sentenced to 18 years in the Cuban gulag.

I remind my colleagues that, under Castro's totalitarian regime, any freedom of the press, any effort to display the atrocities of the regime under the spotlight of truth, is met with swift and violent repression. Mr. Vázquez described the punishing conditions of the Cuban gulag in a diary smuggled out of prison by his

wife. He said "the cell is a space of 1.5 meters wide and 3 meters long." Inside his cell, he describes an interior comprised of insects, an unstable cot, a filthy mattress and a disgusting toilet.

Mr. Speaker, a man who is about to receive the International Press Freedom Award is suffering at this very moment in those abominable conditions. Mr. Vázquez had the courage to depict the reality of Cuba under Castro's totalitarian dictatorship, and now he is locked in the gulag for the next 18 years.

My Colleagues, we can not stand by in silence while those who pursue truth languish in the gulags of repressive dictators. We must stand together and loudly demand freedom for Manuel Vázquez Portal.

#### PHARMACY EDUCATION AID ACT OF 2003

**HON. BARBARA CUBIN**

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 21, 2003*

Mrs. CUBIN. Mr. Speaker, pharmacists are a vital link in this nation's health care system. Across the nation, we are seeing a shortage of pharmacists and this shortage is taking hold in Wyoming as well.

Americans of all ages will continue to take advantage of the therapeutic benefits that come from prescription medications.

Without pharmacists to distribute those drugs and educate us about their effects, we would see the downfall of our health care system. We cannot allow that to happen, and must do what we can to ensure an adequate supply of pharmacists in Wyoming, and across the country.

In addition, as Congress prepares to pass a Medicare reform prescription drug bill, seniors will have greater access to medications at a lower cost and will need qualified pharmacists to help them understand and properly use their medications.

The Pharmacy Education Aid Act of 2003 authorizes two new student-loan programs for pharmacists. The first would repay the student loans of pharmacists who agree to practice for at least 2 years in areas with a critical shortage of pharmacists.

The second would repay the loans of students who agree to serve for a least 2 years as faculty members at accredited schools of pharmacy; one of which is at the University of Wyoming.

It makes sense that if we want an adequate supply of pharmacists in the workplace then we need to ensure adequate faculty to guide them through their education.

We are seeing more of a demand for pharmacists in Wyoming, whether it be in our local Walmart and Safeway stores, or in our hospitals.

Our faculty at UW's school of pharmacy is also stretched very thin, and I want to ensure that we continue to have excellent faculty there. After all, they are responsible for providing Wyoming with the best and brightest in the way of pharmacy graduates.

This legislation is designed to encourage students to enter the pharmacy profession, both in individual practice and as university educators. We all know how expensive it is to get an education these days, and pharmacy students can face loans of up to \$90,000.